

Practitioner's Docket No. KOCH.56145

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Adam T. Lee et al.

Serial No: 0 8 / 811,434

Group No.: 1724

Filed: March 3, 1997

Examiner: S. Bushey

For: DOWNCOMER FOR CHEMICAL PROCESS TOWER

Assistant Commissioner for Patents  
Washington, D.C. 20231

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GROUP 1700

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING DATE OF EITHER A FINAL ACTION  
OR NOTICE OF ALLOWANCE (37 C.F.R. 1.97(c))**

NOTE: An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a statement as specified in paragraph (e) of section 1.97 or the fee set forth in § 1.17(p).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature \_\_\_\_\_

Date: \_\_\_\_\_

(type or print name of person certifying)

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 1 of 3)

10/21/1998 TW000001 0811434 240.00 UP 01 FC:126

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

**TIME OF TRANSMITTAL OF ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:
  - (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311,whichever occurs first.

**STATEMENT OR FEE**

2. Accompanying this transmittal is

*(check either A or B below)*

- A. ☐ a statement as specified in 37 C.F.R. 1.97(e).

**OR**

- B. ☒ the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$240.00).

**FEE PAYMENT**

*(complete this item, if applicable)*

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$240.00).

Fee due \$ 240.00

**METHOD OF PAYMENT OF FEE**

4.

- ☒ Attached is a check in the amount of \$ 240.00.

- ☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

A duplicate of this request is attached.

If any additional fees are due, please charge Account 19-2112.

Reg. No. 32,241

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SIGNATURE OF PRACTITIONER

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Adam T. Lee, et al.	)	Attorney Docket No. KOCH.56145
	)	
Serial No. 08/811,434	)	Examiner: S. Bushey
	)	
Filed: March 3, 1997	)	Art Unit: 1724
	)	
DOWNCOMER FOR CHEMICAL	)	
PROCESS TOWER	)	

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed herewith and listed on Form PTO-1449 (also enclosed) are photocopies of the following references that Applicant wishes to bring to the attention of the Examiner in connection with the above-identified application:

U.S. Patent No. 5,454,989, issued October 3, 1995 to Nutter. *10-15-98*  
*U.S. Patent No. 3,045,989 issued July 24, 1964 to Kittel. mba*  
Ballast Tray Design Manual, Glitsch, Inc., Bulletin No. 4900-Fourth Edition,

February, 1986.

"SUPER FRAC TRAYS, Trays No. 36-54 & 56-66", Glitsch, Inc. DWG NO. 59288, REV <1>, Sheet 100 of 166, February 23, 1996.

"SUPER FRAC TRAYS, Tray No. 55", Glitsch, Inc., DWG NO. 59288, REV <2>, Sheet 101-166, February 23, 1996.

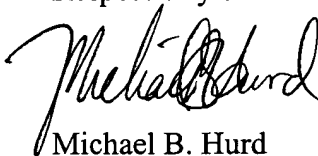
"SUPER FRAC TRAYS, Odd No. Trays 1-35 for T7501", Glitsch, Inc., DWG NO. 59289, REV <2>, Sheet 100 of 151, February 23, 1996.

"SUPER FRAC TRAYS, Even No. Trays 2-34 for T7501", Glitsch, Inc.,  
DWG NO. 59289, REV <->, Sheet 101 of 151, February 23, 1996.

Patent Abstracts of Japan, Vol. 4, No. 85, dated June 18, 1980.

Also enclosed is a copy of the European Search Report in the corresponding  
PCT application.

Respectfully submitted,



Michael B. Hurd  
Reg. No. 32,241

MBH/tjd

October 12, 1998

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